

**TOWN COUNCIL
REGULAR MEETING
MAY 7, 1997
7:00 P.M.**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:04 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Santini and Councilmembers Bush, Cox and Kiar. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. OPEN PUBLIC MEETING

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Jay Enten, 4800 Hawkes Bluff Avenue, asked for an update on the South Broward Utilities issue, the 25-plex movie theater and the Hawkes Bluff median extension project. Mayor Venis advised that direction had been given to the Budget and Finance Director that the Town would like to acquire the South Broward Utilities plant at such a price where the water rates would not be raised to any resident in Ivanhoe. He added that a meeting would be held with the Waverly Hundred residents to discuss the South Broward Utilities issue.

Michele Mellgren, Director of Development Services, advised that there had been some discussion by MovieCo with the property owner and indicated that no formal plan had been submitted to the Town at this time. She indicated that staff would be watching the impact of any commercial development on Hawkes Bluff Avenue and she would ensure that the impact was negated or minimized. Mayor Venis announced that Broward County would be conducting a traffic study to determine the impact.

Mr. Flatley advised that the median project was in the process of planning and design. Assistant Town Administrator Robert Rawls added that the left turn lane phase had been included in the project.

John Pisula, 2933 SW 136 Avenue, thanked Council for voting in support of single member districts for the Broward County School Board and indicated that this issue was overwhelming approved by the legislature. He clarified that the Imagination Farms plan was for 400 homes on 400 acres regardless of the size.

Judy Paul, 14421 SW 24 Street, discussed an incorrect article in the Miami Herald regarding the April 28th Open Space Advisory Committee. She commended Council on its tabling of the privatization of the rodeo arena to a meeting to be held on May 14th at 6:00 p.m.

Phyllis Kowal, 14491 SW 24 Street, advised that she now had a true respect for Council after attending the Open Space Advisory Committee workshop.

Michael Davenport, 14801 SW 22 Place, advised that he was pleased to read the profile on Mr. Flatley in the Community News. He agreed with Ms. Paul's comments on the Miami Herald article.

4. PRESENTATIONS

4.1 Davie/Cooper City Chamber of Commerce

No presentation was provided to Council.

4.2 Small Area Planning Workshops

Ms. Mellgren explained the series of workshops that were planned. She advised that the first workshop was scheduled for June 26th at 7:30 p.m. for the rural part of western Davie.

4.3 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent

Ms. Stafiej discussed the Building a Better Davie Design Award Program and indicated that the logo selected was designed by William Roger. She thanked Public Relations Coordinator Susan Dean and Economic Development Coordinator Margaret Wu for their efforts with the design program. Ms. Stafiej explained the Building a Better Davie program.

Ms. Stafiej advised of the upcoming Annual Young At Art Birthday Bash and Children's Festival being held on May 10th; 5 Star Rodeo (May 23rd - 24th); Memorial Day Weekend events (May 24th - 26th); and Fireworks and Pool Party (July 4th).

Esther Shrago discussed the Young at Art Museum festival and added that the Museum was relocating to the Xtra

Plaza sometime in February 1998. Mayor Venis read and presented a proclamation to Ms. Shrago [item 7.7].

Ms. Pierce-Kent announced upcoming events: Rocking '50s Pool Party (June 14th), youth basketball registration, limited openings for the Davie Summer Daze (June 23rd - August 15th), Adult Softball Tournament for Youth Athletics (July 11th - 13th), volunteer luncheon (May 20th), and registration for counselors-in-training (13 to 16 year olds).

4.4 Comprehensive Annual Financial Statement for Fiscal Year 1996

Christopher Wallace, Director of Budget and Finance, introduced Jerry Chiocca, Senior Municipal Services Director from Rachlin, Cohen and Holtz. Mr. Chiocca explained the Statement and introduced Michael Futterman, Audit Manager, who explained the compliance reports.

4.5 Second Quarterly Status Report - Goals, Capital, Finance

Mr. Wallace explained the quarterly status report. Mayor Venis asked that information be provided on the agenda for any resolutions on unbudgeted item.

4.6 Davie Road Streetscape

Jim Wolfe, representing the Florida Department of Transportation, provided an update on the Streetscape program. Discussion ensued with Mr. Wolfe displaying plans of the aesthetics.

Fire Chief Donati presented Councilmember Kiar with a plaque displaying the new Fire Department patch.

5. OCCUPATIONAL LICENSES

Home Occupational License

5.1 David Morton General Maintenance, 14291 SW 21 Street

The applicant was not present.

Mayor Venis announced that items 7.3, 7.8 and 7.9 had been withdrawn by the respective petitioners.

Mayor Venis advised that item 7.22 needed to be tabled to May 21, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

6. MAYOR/COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

COOPER CITY FOUNDER'S DAY. Councilmember Bush stated that he was a participant in the Founder's Day parade along with other Councilmembers and Mr. Flatley.

MOTHER'S DAY PROGRAM. Councilmember Bush stated that he attended a Mother's Day program at Silver Oaks sponsored by the Hope Outreach Center.

VICE-MAYOR SANTINI

SCHOOL NUMBERS. Vice-Mayor Santini provided Ms. Mellgren with a completed study on the number of Davie children attending public school in the Town.

SCHOOL CONCURRENCY. Vice-Mayor Santini reported on a school concurrency seminar that she, Councilmember Cox and Mr. Flatley attended.

COOPER CITY FOUNDER'S DAY. Vice-Mayor Santini stated that she also participated in the Founder's Day parade.

SAN ANTONIO. Vice-Mayor Santini provided a report on her visit to San Antonio, Texas. She indicated that one of her goals was to turn the Town's canal into something similar to San Antonio's riverwalk.

COUNCILMEMBER COX

TREE DISCOUNT PROGRAM. Councilmember Cox reminded everyone of the Tree Discount Program

which was in effect until May 10th.

ROBBINS PROPERTY. Councilmember Cox stated that she participated in a clean up day at the Robbins property and thanked those who participated. She provided an update on the development of the property.

YOUNG AT ART. Councilmember Cox congratulated the Young At Art Museum and indicated that she would be at the Birthday Bash.

COUNCILMEMBER KIAR

SON'S BASEBALL TEAM. Councilmember Kiar stated that he recently attended his son's college baseball team. He indicated that the Nova Southeastern University's baseball team had the possibility of playing in the regional tournament being held in Homestead.

WRESTLING. Councilmember Kiar stated that Mayor Venis and he participated in a wrestling fundraiser. Mayor Venis advised that \$6,000 was raised for the Davie Elementary School Shelter Program. Councilmember Kiar thanked Ms. Stafiej for her efforts.

HOPE OUTREACH PROGRAM. Councilmember Kiar discussed an article in the Miami Herald regarding the Hope Outreach Program.

VOLUNTEER LUNCHEON. Councilmember Kiar announced that a volunteer luncheon to honor the Town's volunteers would be held on May 20th.

MAYOR VENIS

HAPPY MOTHER'S DAY. Mayor Venis wished everyone a happy Mother's Day.

ACADEMICE ACHIEVEMENT AWARDS. Mayor Venis stated that he was one of four mayors who was a guest announcer at the Theater of Performing Arts academic achievement awards for middle and high school students. He recommended that these students be recognized at a Council meeting.

CONGRATULATIONS. Mayor Venis congratulated Sergeant Rick Smith for becoming a certified fraud examiner.

SOUTH BROWARD UTILITIES. Mayor Venis asked Mr. Flatley to schedule a meeting with the Waverly Hundred residents on the issues that would affect that area.

SCARBOROUGH. Mayor Venis stated that he had spoken to the developer of the property where the library was to be built and indicated that the developer had agreed to making a left turn lane into the Scarborough development heading south. He added that there would also be a right turn lane heading north.

TRAFFIC. Mayor Venis stated that there had been a number of complaints regarding trucks utilizing 136th Avenue. He indicated that the "no trucks" sign was no longer posted and asked that it be replaced. Mayor Venis advised that he had also received a number of complaints from residents off Shotgun Road regarding speeders and asked that police officers patrol the area.

7. CONSENT AGENDA

Minutes

7.1 August 29, 1996 - Workshop Meeting

7.2 January 6, 1997 - Special Meeting

5K Run/Parade Permit

7.3 Nova Center for Applied Research and Professional Development (5K Run, May 10, 1997)

7.4 South Florida Council, Boy Scouts of American (Parade, May 26, 1997)

Proclamations

7.5 Young At Art's Eighth Birthday - May 10, 1997

7.6 City of Wilton Manors Day - May 13, 1997

7.7 Adult and Senior Volunteer Recognition Day - May 20, 1997

Resolutions

7.8 TRANSFER OF COMMITTED TRIPS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN

AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, FRANK AND GARY SHEAR, MARIO AND KARON ZACCO, AND CARMAX AUTO SUPERSTORES, INC., RELATING TO THE TRANSFER OF COMMITTED TRIPS BETWEEN CONTIGUOUS PLATTED PARCELS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT. (tabled from April 16, 1997)

7.9 REVISION TO RESTRICTIVE NOTE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE ASSOCIATED WITH THE S & Z SUBDIVISION PLAT AND PROVIDING AN EFFECTIVE DATE. (DG 2-2-97, south side of State Road 84 approximately 1/2 mile east of University Drive) (tabled from April 16, 1997)

7.10 REVISION TO PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE STIRLINGWOOD II PLAT, FOR A REVISION TO THE RESTRICTIVE NOTE TO INCREASE THE NUMBER AND TYPE OF RESIDENTIAL UNITS AND PROVIDING AN EFFECTIVE DATE. (DG 4-1-97, south side of Stirling Road approximately 1/2 mile west of Davie Road Extension) (tabled from April 16, 1997)

7.11 REVISION TO PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE STIRLINGWOOD SUBDIVISION PLAT, PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO INCREASE THE NUMBER AND TYPE OF RESIDENTIAL UNITS AND PROVIDING AN EFFECTIVE DATE. (DG 4-2-97, south side of Stirling Road approximately 1/2 mile west of Davie Road Extension) (tabled from April 16, 1997)

7.12 LOCAL MATCH FUNDING - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE STARTING PLACE WHICH PROVIDES COUNSELING SERVICES FOR CHILDREN, ADOLESCENTS AND ADULTS WITH SUBSTANCE ABUSE AND ADDICTION PROBLEMS. (tabled from April 16, 1997)

7.13 REVISION TO RESTRICTIVE NOTE - A RESOLUTION OF THE TOWN OF R-97-153 DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE PLAT OF UNIVERSITY PARK AT DAVIE, PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO CHANGE OFFICE AND DRIVING RANGE/GOLF COURSE USE TO OFFICE AND SELF STORAGE USE AND PROVIDING AN EFFECTIVE DATE. (DG 4-4-97, 5400 South University Drive)

7.14 INSTALLATION OF IMPROVEMENTS - A RESOLUTION OF THE TOWN OF R-97-154 DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY AND, RAFAEL SANCHEZ RELATING TO THE INSTALLATION OF REQUIRED IMPROVEMENTS WITHIN THE SAN CAO PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT. (DG 4-5-97, 12101 SW 26 Street)

7.15 LAW ENFORCEMENT TRUST FUND - A RESOLUTION OF THE TOWN OF R-97-155 DAVIE, FLORIDA, AUTHORIZING THE INSURING OF PERSONAL PROPERTY OF THE INVESTIGATIVE SERVICES DIVISION FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT. (\$554)

7.16 LAW ENFORCEMENT TRUST FUND - A RESOLUTION OF THE TOWN OF R-97-156 DAVIE, FLORIDA, AUTHORIZING SUPPLEMENTAL FUNDING FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT FOR FOUR EXPLORERS AND ONE ADVISOR OF THE DAVIE EXPLORERS POST 564 TO ATTEND THE EXPLORER STATE COMPETITION. (\$2,000)

7.17 PURCHASE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-157 AUTHORIZING THE PURCHASE OF IN-CAR RADIOS FROM MOTOROLA, THROUGH BROWARD COUNTY BID #87-237. (\$13,238.90)

7.18 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-97-158 THE BID FOR THE STATE OF FLORIDA DEPARTMENT OF EDUCATION SUMMER FOOD SERVICE PROGRAM, CO-OP BID #G 02-97-0312. (Jerry's Catering; \$1.60/lunch)

7.19 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-97-159 THE BID FOR SUPPLY AND INSTALLATION OF GUARDRAIL. (Southeast Cattle Co., Inc.; lowest overall bid)

7.20 EXTENDING A CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-160 FLORIDA, EXTENDING THE CONTRACT FOR RENTAL OF HEAVY EQUIPMENT WITH OPERATOR. (the lowest bidder for each item as the primary vendor and the next lowest bidder as the secondary vendor)

7.21 EXTENDING A CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-161 FLORIDA, EXTENDING THE CONTRACT FOR ARBORIST SERVICES. (Tree Trimmers, Inc.)

7.22 EXTENDING A CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE CONTRACT WITH THE LIL' RASCALS ACADEMY FOR THE OPERATION OF DAYCARE SERVICES FOR TEACHER PLANNING DAYS, HOLIDAYS, WINTER AND SPRING BREAKS AND SUMMER MINI-CAMPS AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 1 TO THIS AGREEMENT. (\$85/week; revenue to Town - \$6/week/child; teacher planning days and holidays - \$19)

7.23 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R097-162 APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 8-1-96, Christian Fellowship Church Plat)

7.24 PROVISION OF WATER SERVICE - A RESOLUTION OF THE TOWN OF R-97-163 DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE CITY OF SUNRISE FOR PROVISION OF WATER SERVICE TO SUNNYLANE FARMS; AND PROVIDING AN EFFECTIVE DATE.

7.25 TRANSFER OF RESIDENTIAL RESERVE UNITS - A RESOLUTION OF THE R-97-164 TOWN OF DAVIE, FLORIDA TRANSFERRING TEN RESIDENTIAL RESERVE UNITS FROM FLEXIBILITY ZONE 113 TO FLEXIBILITY ZONE 99 FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING.

7.26 PROFESSIONAL SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, R-97-165 FLORIDA, APPROVING A PROPOSAL FOR ADDITIONAL SERVICES BETWEEN THE THE TOWN OF DAVIE AND MILLER LEGG & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES TO COMPLETE PLANNING SERVICES FOR THE DAVIE ROAD BEAUTIFICATION PROJECT. (\$5,275)

7.27 LEASE AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-166 AUTHORIZING APPROVAL AND EXECUTION OF AN AGREEMENT WITH THE BROWARD COUNTY SCHOOL BOARD TO LEASE FOUR PORTABLES FROM SILVER RIDGE ELEMENTARY SCHOOL FOR SIX WEEKS FOR OUR SUMMER CAMP PROGRAM. (\$3,903.60; June

23, 1997 - August 1, 1997)

7.28 RANKINGS FOR ENGINEERING SERVICES - A RESOLUTION OF THE R-97-167 TOWN OF DAVIE, FLORIDA, APPROVING THE RANKINGS FOR ENGINEERING SERVICES TO DESIGN THE REALIGNMENT OF OAKES RD./BURRIS RD. AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT WITH THE HIGHEST RANKING FIRM. (Keith & Schnars, Carr Smith Corradino, and Miller Legg & Associates)

7.29 HIGHWAY BEAUTIFICATION GRANT - A RESOLUTION OF THE TOWN OF R-97-168 DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR A HIGHWAY BEAUTIFICATION GRANT ADMINISTERED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION. (I-595 and Davie Road)

7.30 WAIVE BALLFIELD PERMIT FEES - A RESOLUTION OF THE TOWN OF R-97-169 DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO WAIVE BALLFIELD PERMIT FEES FOR THE PERIOD OF JANUARY 5, 1998 - JANUARY 11, 1998, FOR NOVA SOUTHEASTERN UNIVERSITY. (\$1,150 to be waived; NCSAA Winter Coaching Academy)

7.31 MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-170 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-612 FROM \$4,800 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Tavory)

7.32 MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-171 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 92-117 FROM \$6,000 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Parisi)

7.33 SCHOOL RESOURCE OFFICERS - A RESOLUTION OF THE TOWN OF DAVIE, R-97-172 FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE SUBJECT TO BUDGETARY APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (Davie Elementary, Flamingo Elementary, Hawkes Bluff, Nova Blanche Forman Elementary, Nova Eisenhower Elementary and Silver Ridge Elementary)

7.34 SCHOOL RESOURCE OFFICERS - A RESOLUTION OF THE TOWN OF DAVIE, R-97-173 FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE SUBJECT TO BUDGETARY APPROVAL; AND PROVIDING AN EFFECTIVE DATE. (Western High and Indian Ridge Middle)

Ordinances - First Reading (Public Hearing to be held May 21, 1997)

7.35 STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR THE ESTABLISHMENT OF AN AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR THE REVIEW AND APPROVAL OF THE AFFORDABLE HOUSING INCENTIVE PLAN; PROVIDING FOR SEVERABILITY; AND FOR AN EFFECTIVE DATE.

7.36 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE NAME OF THE CODE ENFORCEMENT DIVISION TO THE CODE COMPLIANCE DIVISION; AMENDING SECTION 6-1 BY ADDING SECTION 6-1(c), REFERRING TO THE TERM CODE COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

7.37 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ARTICLE III, PERMITTED USES, SECTION 12-33, PROVIDING LOCATION REGULATIONS FOR SCREEN ENCLOSED PATIOS WITHIN RESIDENTIAL DISTRICTS AND REVISING LOCATION REGULATIONS OR SCREEN-ENCLOSED POOLS WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

7.38 RECLASSIFYING OCCUPATIONAL CATEGORY NAMES - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE 95-38 REGARDING THE TOWN'S OCCUPATIONAL TAX SCHEDULE BY RECLASSIFYING CATEGORY NAMES AND ADDING AN EXEMPT CATEGORY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7.39 AMENDING ORDINANCE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 97-21 WHICH WAS AN ORDINANCE VACATING PORTIONS OF ROAD RIGHT-OF-WAY FOR SW 75TH AVENUE AND SW 71ST TERRACE ADJACENT TO THE SOUTH 84 PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Venis asked that items 7.10, 7.11, and 7.25 be removed from the Consent Agenda. Vice-Mayor Cox asked that item 7.14 be removed. Vice-Mayor Santini asked that items 7.12 and 7.13 be removed.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mayor Venis advised that a public hearing on items 7.35 through 7.39 would be held on May 21, 1997.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to approve the Consent Agenda without items 7.10, 7.11, 7.12, 7.13, 7.14 and 7.25 [item 7.8 and 7.9 were previously withdrawn; item 7.22 was previously tabled to May 21, 1997]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.10 and 7.11 Mayor Venis asked if the site plan and plat could be provided to Council. Mr. Webber replied that he did not know if the plat could be tied to the site plan if the property owner objected. He indicated that he would have to research this issue. Mayor Venis asked for a report at the next meeting. Ms. Mellgren discussed Council's request on the reason the property was platted at a lower number and if there was a commitment made to retain the lower number. She advised that there was no indication that such a commitment was made.

Bonnie Menscul, representing the applicant, provided a clarification of the request and indicated that all requirements had been met. After a brief discussion, Ms. Menscul agreed to a two week tabling.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to table to May 21, 1997. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.12 Vice-Mayor Santini asked for an update on the different requests that had been made for funding which Mr. Wallace provided. Councilmember Bush advised that there had been discussion regarding the use of a van for one day. Mr. Flatley announced that a van would be available for children in the Hope Outreach Program and southeast area every Wednesday from 3:00 p.m. to 5:00 p.m.

Vice-Mayor Santini recommended that the Town fund: Broward Community College Seahawk Afterschool Program - \$18,000; Child Care Connection - \$8,000; EASE - \$7,500; Starting Place - \$7,500; Women in Distress - \$2,000; Brookwood in Davie - \$2,000; and Hope [Outreach Program] - in kind services and transportation at least once a week for library services for children.

Mayor Venis recommended that item 7.12 be withdrawn and Vice-Mayor Santini's recommendation be accepted. Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to delete item 7.12. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to fund the following: Area Agency on Aging - \$13,302 [already funded]; Broward Community College Seahawk Afterschool Program - \$18,000; Child Care Connection - \$8,000; EASE Foundation \$7,500; Hope [Outreach Program] - in kind services of

transportation at least once a week for library services for children; Starting Place - \$7,500; Women in Distress - \$2,000; and Brookwood in Davie - \$2,000. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.13 Vice-Mayor Santini stated that the request was for another self-storage facility and she did not want to see University Drive becoming a home for self-storage facilities. Ms. Mellgren advised that the property was zoned CC and the request was permitted in this use.

After some discussion, Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - no; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-1)

7.14 Ms. Mellgren provided a map of the location and explained the resolution.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve subject to providing a bike path and bridle trail and subject to signing the plat at the County. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.4 Rick Kaiser and Jeff Greenwich, representing the Boy Scouts, described the Memorial Day events and invited all to attend.

7.25 Ms. Mellgren explained the resolution.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8. SITE PLANS

8.1 SP 10-3-96, Broward Motorsports, 4101 Davie Road Extension (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, using the colors shown, and bringing back the signage and graphics for consideration*

William Lane, representing the petitioner, was present. Walter Fluegel, Planner, read the planning report. Mr. Lane indicated that he agreed with staff's report. Councilmember Cox explained the Site Plan Committee's concerns. Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.2 SP 11-7-96, Davie Lakes, south of State Road 84, east of Hiatus Road (RM-10) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*
Jerry Goray, representing the petitioner, was present. Mr. Fluegel read the planning report. Mr. Goray explained the site plan.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.3 SP 2-1-97, Iron Mountain, 3821 SW 47 Avenue (M-3) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*

Frank Perez, representing the petitioner, was present. Mr. Fluegel read the planning report.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.4 SP 4-8-97, Growers Ford at Westport Business Park, 2695 Davie Road (M-4, Broward County) *Site Plan*

Committee approval subject to the planning report and moving the dumpster to the north side as long as this change was approved by the engineering department

Gus Aguirre, representing the petitioner, was present. Ms. Mellgren explained that this site plan had expired and the application was only for a renewal. She advised of the Site Plan Committee's recommendation.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

9. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

Ordinances - Second and Final Reading

9.1 PERSONNEL RULES AND REGULATIONS - AN ORDINANCE OF THE 97-25 TOWN OF DAVIE, FLORIDA, REVISING THE TOWN OF DAVIE'S PERSONNEL RULES AND REGULATIONS BY AMENDING VARIOUS PORTIONS OF SAID RULES AND REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

9.2 TRANSFER OF OCCUPATIONAL LICENSES - AN ORDINANCE OF THE 97-26 TOWN OF DAVIE, FLORIDA, AMENDING SECTION 13-25 OF THE CODE OF DAVIE REGARDING FEES FOR TRANSFER OF OCCUPATIONAL LICENSES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis closed the public hearing portion of the meeting.

10. APPOINTMENTS

10.1 Unsafe Structures Board (non-exclusive appointment - plumbing contractor, term expires April 2000)
This item was deferred to the May 21, 1997 meeting.

10.2 Parks and Recreation Advisory Board (exclusive appointment by Mayor Venis; term expires August 1997)
Mayor Venis deferred his appointment.

10.3 Planning and Zoning Board (exclusive appointments - one appointment per Councilmember; term expires May 1998)

Councilmember Bush appointed Joseph Brill. Vice-Mayor Santini appointed Kaz Pourghafari. Mayor Venis appointed Jay Stahl. Councilmember Kiar appointed George Greb. Councilmember Cox appointed Michael Davenport.

11. DISCUSSION AND POSSIBLE ACTION

11.1 MVP Properties, Inc.

Mr. Webber explained the litigation and the proposed settlement. Vice-Mayor Santini indicated that she would

rather settle the lawsuit as proposed by MVP Properties, Inc. than take the chance of not having any access. Councilmember Cox stated that the Ridge should be enjoyed visually and gating this community would prohibit this. She added that the proposed settlement prohibited older residents, who could not access the Ridge by foot or on bicycle, from enjoying the Ridge. Councilmember Cox indicated that the developer was benefiting from the residents' tax dollars purchasing the Ridge and disagreed with Vice-Mayor Santini. Mayor Venis and Councilmember Kiar indicated their agreement with Councilmember Cox.

A representative from MVP Properties, Inc. advised that he had a petition signed by approximately 300 residents who felt that it was not "worth the risk to gain basically nothing" and discussed the offer which had been made. Councilmember Cox discounted the petition as it indicated that the residents risked the losing all proposed access to the Ridge which was a misrepresentation. She recommended that a vote be obtained from the Laurel Oaks Homeowners Association on the direction it would like the Town to take.

Mr. Webber explained that if Council were to move forward with a settlement, he would need to prepare a formal settlement agreement which would require a public hearing. He indicated that he needed to file a petition for writ of certiorari by May 8, 1997 which he was required to do. Mr. Webber suggested that a proposed settlement agreement be drafted and placed on an agenda for a public hearing.

Councilmember Cox reiterated that she would like a definitive direction from the residents in Laurel Oaks. After further discussion, Councilmember Cox recommended that Mr. Webber should file the appeal and an opinion should be obtained from the Laurel Oaks Homeowners Association. In a voice vote, all voted in favor.

Mayor Venis announced that the meeting with Waverly Hundred was scheduled for May 28th at 7:30 p.m.

12. TOWN ADMINISTRATOR'S REPORT

No report was provided.

13. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 10:57 p.m.

